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#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUN 25 2002

Technology Center 2100

In re application of:

TERRENCE A. TOMKOW, Ph.D.

Application No. 09/626,577

Filed: July 27, 2000

For: SYSTEM AND METHOD FOR
VERIFYING DELIVERY AND
INTEGRITY OF ELECTRONIC
MESSAGES

Date: June 11, 2002

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with sufficient postage as First Class Mail in an envelope addressed to: **Box: Amendment, COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231** on June 11, 2002.

Ellsworth R. Roston

Ellsworth R. Roston, Reg. No. 16,310
Attorney for Applicant

[240566.1]

June 11, 2002
Los Angeles, CA 00045

COMMUNICATION TO U.S. PATENT AND TRADEMARK OFFICE

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant's newly appointed attorney, Ellsworth R. Roston prepared a first preliminary amendment in this application and submitted it to Dr. Terrence A. Tomkow, the applicant, on June 14, 2001 for approval before filing the preliminary amendment in the U.S. Patent and Trademark Office (USPTO). The first preliminary amendment included new claims 84-183. Applicant's newly appointed attorney, Ellsworth R. Roston, apparently never heard from Dr. Tomkow on this matter but proceeded in the belief that the first preliminary amendment had been filed in the USPTO.

Applicant's newly appointed attorney, Ellsworth R. Roston, thereafter submitted a second preliminary amendment in this application to the USPTO on or about April 2, 2002 and a third preliminary amendment to the USPTO on or about May 30, 2002.

On June 6, 2000, Ms. Livinia Johnson ((703) 308-5229) called Ms. Donna Colon, secretary to Mr. Roston, and indicated to Ms. Colon that the USPTO did not have a copy of the first preliminary amendment. In checking the files, Ms. Colon and Mr. Roston noted that the first preliminary amendment was not filed in the USPTO. Applicant is accordingly filing a copy of the first preliminary amendment in the USPTO. Included with the first preliminary amendment are Exhibits A, B and C.

In addition to filing the first preliminary amendment in the USPTO, applicant is submitting a copy of this amendment directly to Ms. Johnson for inclusion of this amendment in the file at the USPTO. Applicant is also submitting directly to Ms. Johnson a copy of the third preliminary amendment. Applicant is submitting copies of the first and third preliminary amendments directly to Ms. Johnson since Ms. Johnson apparently indicated to Ms. Colon in the

U.S. Serial No. 09/626,577
Attorney Docket No. RPOST-57228

PATENT

telephone conversation on June 6, 2002, that an Office Action would be shortly prepared by the Examiner in this application and submitted to applicant's attorney.

Respectfully submitted,
FULWIDER PATTON LEE & UTECHT

By: Ellsworth R. Roston
Ellsworth R. Roston, Reg. No. 16,310
Attorney for Applicants

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ERR:dmc:240566.1

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (12-97)

Approved for use through 9/30/00. OMB 0651-0031
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Serial No. 09/626,577

Filing Date July 27, 2000

First Named Inventor Terrence A. Tomko

Group Art Unit Not Yet Assigned

Examiner Name Not Yet Assigned

Attorney Docket Number RPOST-57228

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ENCLOSURES (check all that apply)

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☒ Fee Transmittal Form

☐ Fee Attached

☒ Amendment (1st Preliminary)

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ To Convert a Provisional Application

☐ Power of Attorney, Revocation

☐ Terminal Disclaimer

☐ Terminal Entity Statement

☐ Request for Refund

☐ After Allowance Communication
to Group

☐ Appeal Communication to Board
of Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Additional Enclosure(s)
(please identify below):

POSTCARD

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or
Individual Name

FULWIDER PATTON LEE & UTECHT, LLP
ELLSWORTH R. ROSTON, ESQ., REG. NO. 16,310

Signature

Ellsworth R. Roston

Date

June 11, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

June 11, 2002

Typed or printed name

ELLSWORTH R. ROSTON, ESQ., REG. NO. 16,310

Signature

Ellsworth R. Roston

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are requested to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

Complete if Known

Application Number	09/626,577
Filing Date	July 27, 2000
First Named Inventor	TERRENCE A. TOMKOW, Ph.D.
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	RPOST-57228

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

06-2425

Fulwider Patton, et al.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims		-20** =	X	
Multiple Dependent		-3** =	X	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	400	216	200	Extension for reply within second month
117	920	217	460	Extension for reply within third month
118	1,440	218	720	Extension for reply within fourth month
128	1,960	228	980	Extension for reply within fifth month
119	320	219	160	Notice of Appeal
120	320	220	160	Filing a brief in support of an appeal
121	280	221	140	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidable
141	1,280	241	640	Petition to revive - unintentional
142	1,280	242	640	Utility issue fee (or reissue)
143	460	243	230	Design issue fee
144	620	244	310	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Processing fee under 37 CFR 1.17(q)
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))
179	740	279	370	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type) ELLSWORTH R. ROSTON

Registration No.
(Attorney/Agent)

16,310

Complete (if applicable)

Telephone 310-824-5555

Signature

Ellsworth R. Roston

Date

06-11-02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Please acknowledge receipt of our **THIRD**
PRELIMINARY AMENDMENT (w/Certificate of
Mailing thereon), Transmittal Form (PTO/SB/21); Fee
Transmittal (PTO/SB/17), by affixing hereon the Patent and
Trademark Office stamp and returning this card to our
office, in re application of:

Applicant: RPOST INTERNATIONAL LIMITED
Inventor: Terrence A. Tomkow
Title: SYSTEM AND METHOD FOR VERIFYING DELIVERY
AND INTEGRITY OF ELECTRONIC MESSAGES
Serial No.: 09/626,577- Filing Date: July 27, 2000
Client/Matter No.: RPOST-57228
Date Mailed: May 29, 2002
ERR:dmc:233498.1

BOX AMENDMENT - FEE